

FINDING OF NO SIGNIFICANT IMPACT

NORTHWEST TENNESSEE REGIONAL HARBOR

**Cates Landing, Lake County, Tennessee
Section 107 River and Harbor Act of 1960**

Description of Action - The U.S. Army Corps of Engineers, Memphis District intends to construct a harbor for navigation purposes located at Mississippi River Mile 900, in the vicinity of Cates Landing, Lake County, Tennessee. Construction would include clearing vegetation, dredging a navigation channel (9,000 feet long, bottom width of 130 feet transitioning 225 feet for a berthing area, and a 300 feet diameter turning basin), placement of dredge material (1.02 million cubic yards) on land, and stabilizing the harbor banks with 30,600 tons of riprap and 15,300 tons of filter material. Unavoidable environmental impacts include the elimination of 60 acres of wetlands with an associated habitat value of 27 AHUV, 14 acres of farmed wetlands, and 89 acres of prime and unique farmland. The loss of 27 AHUV and an additional 14 acres of farmed wetlands would be mitigated by restoring 134 acres of wetlands. Wetland restoration would be accomplished by restoring natural hydrology to the extent practicable and planting appropriate bottomland hardwoods on prior converted croplands within the Mississippi River floodplain. These measures would result in conversion of prior converted cropland to jurisdictional wooded wetlands. Microtopography would be constructed on the site in addition to tree plantings. The non-Federal cost sharing sponsor (Northwest Tennessee Regional Port Authority) would also construct an adjacent port facility and industrial area. Port facility and industrial area construction would impact 12 acres of wetlands, one acre of farmed wetland, and 560 acres of prime and unique farmland. The loss of 12 acres of wetlands and one acre of farmed wetland would be mitigated by restoring 25 acres of wetlands. Wetland restoration would be accomplished by restoring natural hydrology to the extent practicable and planting appropriate bottomland hardwoods on prior converted croplands within the Mississippi River floodplain.

Factors Considered in Determination - An Environmental Assessment, 404(b)(1) Evaluation, and Biological Assessment were prepared to determine the potential impacts of the proposed work and various alternatives on vegetation; wildlife and aquatic resources; endangered and threatened species; cultural resources; floodplain management; wetlands; Section 404 of the Clean Water Act; hazardous, toxic, and radioactive waste; air and water quality; prime and unique farmlands; and cumulative impacts.

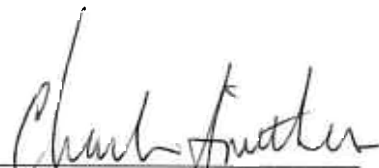
Coordination - A public notice and the Draft Environmental Assessment, describing the proposed action, was posted on the Internet, placed in local libraries, posted in local newspapers, and mailed to approximately 175 citizens, businesses, elected officials, and government agencies. Letters of support were received from 10 elected officials, six state government agencies, 31 private businesses, 11 non-governmental organizations, and 64 private citizens. Concerns were expressed by the Environmental Protection Agency, Natural Resources Conservation Service, and Fish and Wildlife Service. The concerns have been resolved. The Fish and Wildlife Service has concurred with the findings of the

biological assessment and has submitted a Coordination Act Report. The Tennessee Historical Commission stated that the Memorandum of Agreement adequately addresses the potential affects and allows for phased identification and assessment for potential historic properties in areas of the project area not yet subjected to archaeological survey. The Tennessee Department of Environment and Conservation, Division of Water Pollution Control issued Section 401 Water Quality Certification on 16 July 2004.

Issues Requiring Further Action – The District shall coordinate the site selection and restoration plan for compensatory mitigation with the appropriate review agencies during its development, and present the plan for final approval to the Tennessee Department of Environment and Conservation before commencing construction. Compensatory mitigation would occur concurrently with harbor construction. Water quality testing protocols would be developed and coordinated with appropriate agencies prior to construction and results furnished during construction. Cultural Resources surveys would be required and coordinated with appropriate parties as the local sponsor constructs site development.

Conclusion - After review of the documentation, I have determined this project (with the compensatory mitigation) is not a major Federal action significantly affecting the human environment. Therefore, I have determined that an environmental impact statement is not required.

8/13/04
Date


Charles O. Smithers III
Colonel, Corps of Engineers
District Engineer